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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/548,213	04/12/2000	Kouichi Matsuda	122.1203-Re	6182

21171 7590 01/29/2003

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EXAMINER

TIBBITS, PLA FLORENCE

ART UNIT PAPER NUMBER

2838

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

FEB 04 2003

# Office Action Summary

Application No.

09/548,213

Applicant(s)

MATSUDA ET AL.

Examiner

Pia F Tibbits

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-34, 89-112, 118-129 and 133-199 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-34, 89-112, 118-129, and 133-147 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 148-199 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 08/578805.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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### **DETAILED ACTION**

This Office action is in answer to the response filed 12/27/2002.

#### ***Drawings***

1. In order to avoid abandonment, the drawing informalities noted in Paper No. 3, mailed on 9/19/2000, must now be corrected. Correction can only be effected in the manner set forth in the above noted paper according to PTO-948 attachment.

#### ***Claim Objections***

2. Claims 148-199 are objected to because of the following informalities:
  - a) newly added claims 148-152 are objected to under 35 CFR § 1.75(b) since claims 148-152 are essentially duplicate claims of claims 11-15, respectively.
  - b) newly added claims 153-157 are objected to under 35 CFR § 1.75(b) since claims 153-157 are essentially duplicate claims of claims 16-20, respectively.
  - c) newly added claims 159-162 are objected to under 35 CFR § 1.75(b) since claims 159-162 are essentially duplicate claims of claims 21-25, respectively.
  - d) newly added claim 163 is objected to under 35 CFR § 1.75(b) since claim 163 is essentially a duplicate claim of claim 26.
  - e) newly added claim 164 is objected to under 35 CFR § 1.75(b) since claim 163 is essentially a duplicate claim of claim 27.
  - f) newly added claim 165 is objected to under 35 CFR § 1.75(b) since claim 165 is essentially a duplicate claim of claim 28.
  - g) newly added claim 166 is objected to under 35 CFR § 1.75(b) since claim 166 is essentially a duplicate claim of claim 29.
  - h) newly added claim 167 is objected to under 35 CFR § 1.75(b) since claim 167 is essentially a duplicate claim of claim 30.

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i) newly added claim 168 is objected to under 35 CFR § 1.75(b) since claim 168 is essentially a duplicate claim of claim 31.

j) newly added claim 169 is objected to under 35 CFR § 1.75(b) since claim 169 is essentially a duplicate claim of claim 32.

k) newly added claim 170 is objected to under 35 CFR § 1.75(b) since claim 170 is essentially a duplicate claim of claim 33.

l) newly added claim 171 is objected to under 35 CFR § 1.75(b) since claim 171 is essentially a duplicate claim of claim 34.

m) newly added claims 172-175 are objected to under 35 CFR § 1.75(b) since claims 172-175 are essentially duplicate claims of claims 89-92, respectively.

n) newly added claims 172-175 are objected to under 35 CFR § 1.75(b) since claims 172-175 are essentially duplicate claims of claims 89-92, respectively.

o) newly added claims 176-179 are objected to under 35 CFR § 1.75(b) since claims 176-179 are essentially duplicate claims of claims 93-96, respectively.

p) newly added claims 180-183 are objected to under 35 CFR § 1.75(b) since claims 180-183 are essentially duplicate claims of claims 97-100, respectively.

q) newly added claims 185-189 are objected to under 35 CFR § 1.75(b) since claims 185-189 are essentially duplicate claims of claims 133-137, respectively.

r) newly added claims 190-194 are objected to under 35 CFR § 1.75(b) since claims 190-194 are essentially duplicate claims of claims 138-142, respectively. Also, in claim 190, in line 3, ---AC adapter--- to replace "Ac adapter".

s) newly added claims 195-199 are objected to under 35 CFR § 1.75(b) since claims 195-199 are essentially duplicate claims of claims 143-147, respectively.

t) newly added claim 184 is objected to since the statements "the output voltage of the power source falling to less than said constant voltage when the power source outputs more..., the power

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applied to the load from the input section varying based on the state of the load" and "the control circuit controls the charging voltage so that...(it) becomes a value assigned to the battery or lower".

Appropriate correction is required.

### ***Allowable Subject Matter***

3. Claims 1-34, 89-112, 118-129, and 133-147 are allowed.

With respect to claims 1-34, 89-112, 118-129, and 133-147: none of the references of record **prior to applicant's filing date** discloses, teaches, or suggests an apparatus for **controlling power to a battery as the current to a load varies based on the state of the load, so that a sum of the power applied to the load and the power charged to the battery becomes a value assigned in advance**, as detailed by the instant application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. This application is in condition for allowance except for the formal matters detailed above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Pia Tibbits whose telephone number is (703) 308-7305. If unavailable, contact the Supervisory Patent Examiner Mike Sherry whose telephone number is (703) 308-1680.

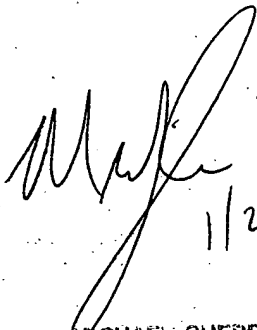
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6. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

Papers related to Technology Center 2800 applications only may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center Fax Center number is (703) 308-7722 or (703) 308-7724.

PFT

January 26, 2003



1/24/03

**MICHAEL SHERRY**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**